

EXHIBIT C

From: Robert.Burns@hklaw.com [mailto:Robert.Burns@hklaw.com]

Sent: Thursday, March 24, 2011 12:21 PM

To: KRaman@paulweiss.com

Cc: Christopher.Kelly@hklaw.com; Cox, John; John.Moran@hklaw.com; joshua.krumholz@hklaw.com; .MC.Elsevier, Patrick; rkoch@milbank.com; Steven.DAlessandro@hklaw.com

Subject: RE: BASF v Cheminova

Kripa:

Cheminova agrees to your proposed dates for the exchange of expert reports.

Cheminova's position with respect to Mr. Wang remains as I stated it in my March 11 email to you. Mr. Wang is not in Cheminova Inc.'s possession, custody, or control, and Cheminova Inc. cannot compel Mr. Wang to testify in the United States. Cheminova Inc. has, throughout this litigation, complied with its obligations under our discovery agreements, and continues to do so. My 11/2/10 email to you did not state that Cheminova Inc. was "willing and able" to produce Mr. Wang for deposition; rather, it suggested that plaintiffs should defer their request for Mr. Wang until they had completed their priority depositions, as they had elected to do for certain other peripheral witnesses.

Thanks,
Bob

Robert J. Burns | [Holland & Knight](#)

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From: Kripa Raman [mailto:KRaman@paulweiss.com]

Sent: Monday, March 21, 2011 10:49 PM

To: Burns, Robert J (NYC - X73490)

Cc: Kelly, Christopher (NYC - X73264); john.cox@alston.com; Moran, John P (WAS - X71848); Krumholz, Joshua (BOS - X75820); jpelsevier@jonesday.com; rkoch@milbank.com; D'Alessandro, Steven L (NYC - X73528)

Subject: RE: BASF v Cheminova

Bob-

Mr. Wang has been repeatedly identified by witnesses in this case as an employee of a Cheminova entity. You have never provided any indication to the contrary and you do not appear to deny that this is the case now. Further, you have never previously indicated that Cheminova would be unwilling or unable to make Mr. Wang available for deposition in this case.

To the contrary, you have previously consistently stated that you would be willing and able to make him available after the depositions of Winckelmann and Rasmussen (see, e.g., your 11/2/10 email to me regarding deposition scheduling). Furthermore, we have been proceeding under an agreement regarding discovery from affiliates, which would cover Mr. Wang. We thus cannot understand your refusal to produce Mr. Wang for deposition.

Please confirm that you will be producing Mr. Wang for deposition and provide us with dates for his deposition. Until then, we will not further investigate dates of availability for Dr. Kuhn, who is likewise not employed by any party to this lawsuit.

Separately, the parties need to agree upon dates for the exchange of expert reports. We propose that opening expert reports be exchanged on April 6 and that rebuttal expert reports be exchanged on April 27. Please confirm that Cheminova will agree to these dates.

Regards,
Kripa

Kripa Raman | Counsel
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From: Robert.Burns@hklaw.com
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Date: 03/11/2011 12:15 PM
Subject: RE: BASF v Cheminova

Kripa:

Henrik Norskov Pedersen is confirmed for our office at 9:30 on March 24.

Thomas Kvieholm has been on holiday since plaintiffs recently renewed their long-deferred request for his deposition. He will return to the office next week. We will provide a deposition date for him as soon as possible after his return.

With respect to Wayne Wang, you have known for months that Mr. Wang is not an employee, let alone an officer, director, or managing agent, of Cheminova Inc. Cheminova Inc. has no ability to compel his attendance at deposition.

The DeCarlo deposition cannot be held open indefinitely, particularly given the fact that we will not know Mr. Kvieholm's availability for a lengthy trip to the United States until next week. March 16, at our offices in New York, remains on offer for the DeCarlo deposition. We provided that date to you on the morning of March 4, and have been working toward that date since then. As should be apparent at this point in the case, we need to get fact depositions concluded, promptly, so we can continue on toward follow-on case milestones. If plaintiffs can take DeCarlo on March 16, please so advise today before close of business. Alternatively, if any of March 18, 25, or 28 work better for plaintiffs, please so advise today before close of business. If plaintiffs will not take Ms. DeCarlo's deposition on any of these four offered dates, Cheminova will deem plaintiffs to have waived their request for Ms. DeCarlo's testimony.

It has now been three weeks since BASF postponed the Kuhn deposition, and we still await new dates. When can we expect to receive them?

Thanks,
Bob Burns

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From: Kripa Raman [<mailto:KRaman@paulweiss.com>]

Sent: Wednesday, March 09, 2011 5:10 PM

To: Burns, Robert J (NYC - X73490)

Cc: Kelly, Christopher (NYC - X73264); john.cox@alston.com; Moran, John P (WAS - X71848); Krumholz, Joshua (BOS - X75820); jpelsevier@jonesday.com; rkoch@milbank.com; D'Alessandro, Steven L (NYC - X73528)

Subject: RE: BASF v Cheminova

Bob -

We can confirm the Pedersen deposition for March 24th.

The 16th does not work for us for DeCarlo. As previously requested, please provide us a date for DeCarlo that is after the dates for Wang and Kvieholm, since the DeCarlo deposition may become unnecessary depending on what we learn from the prior depositions.

We will get back to you shortly regarding a date for the Kuhn deposition.

- Kripa

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Date: 03/04/2011 10:44 AM
Subject: RE: BASF v Cheminova

Kripa:

Jennifer Decarlo will be available for deposition on March 16, and Henrik Norskov Pedersen will be available on March 24, both in our New York office. Please confirm these dates and we will lock them in. Dates for additional deponent(s) will follow shortly.

Thanks,
Bob

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From: Kripa Raman [<mailto:KRaman@paulweiss.com>]
Sent: Tuesday, March 01, 2011 6:50 PM
To: Burns, Robert J (NYC - X73490)
Cc: Kelly, Christopher (NYC - X73264); john.cox@alston.com; Moran, John P (WAS - X71848); Krumholz, Joshua (BOS - X75820); jpelsevier@jonesday.com; rkoch@milbank.com; D'Alessandro, Steven L (NYC - X73528)
Subject: RE: BASF v Cheminova

Bob -

So as to not further delay the scheduling of these depositions, please provide us with dates of availability for the 4 requested Cheminova witnesses, preferably in the order we have requested them below. We can then at a later date, prior to completing those depositions, deal with the issue of whether Plaintiffs are over the deposition limits for the liability phase of this case, especially since the issue of whether Velcera/Fidopharm will provide one or more witnesses for deposition has not yet been resolved.

Regards,
Kripa

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Date: 02/26/2011 03:13 PM
Subject: RE: BASF v Cheminova

Kripa:

With these depositions in addition to those already noticed, plaintiffs would be in excess of the 10-deposition-per-side limit (Chalk, Winckelmann, Nordlyng, Allemang, Rasmussen, Velcera, Fidopharm, plus the four listed below). Which deponent will plaintiffs be foregoing?

Thanks,
Bob

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From: Kripa Raman [<mailto:KRaman@paulweiss.com>]
Sent: Friday, February 25, 2011 3:26 PM
To: Burns, Robert J (NYC - X73490)
Cc: jpelsevier@jonesday.com; john.cox@alston.com; rkoch@milbank.com
Subject: BASF v Cheminova

Bob-

Please provide us with dates of availability for the depositions of the following Cheminova witnesses we had previously discussed:

Wayne Wang
Henrik Norskov Pederson
Thomas Kvieholm
Jennifer Decarlo

Regards,
Kripa

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